

## CLAIM MONOPOLY IN BAGGAGE TRADE

Norfolk and Western's System at  
Lynchburg Is Complained  
Of.

### JURISDICTION PLEADED

Argument Made That Matter Is  
Not One for Corporation  
Commission.

Allegations that the public is seriously inconvenienced through the refusal of the Norfolk and Western Railway Company to recognize the claim checks at its Lynchburg baggage room were made yesterday before the State Corporation Commission. The petition was filed by the Virginia Travelers' Association and the People's Transfer Company, the latter a rival concern to Long's Baggage Transfer Company, which, it is stated, has been given a practical monopoly of the baggage hauling in the Hill City.

In the main the argument was had on the subject of jurisdiction, which it was claimed by the Norfolk and Western, is not possessed by the commission. However, in the discussion the facts of the case came out and will be submitted later in agreed form. On this statement of facts and on the argument as to jurisdiction the commission will render its decision.

**Give Separate Rights.**  
In brief, the petition of the Travelers' Association of Virginia, an organization of traveling men, with that of the People's Transfer Company, alleges that the Norfolk and Western has a contract with Long's Baggage Transfer Company whereby the latter has the exclusive right to solicit business on the trains and in the Lynchburg station of the railroad company. Further, it is stated that when baggage is hauled to the station by the Long Company the passenger may secure the transportation check merely by presenting the check given him by the Long concern, whereas, if it is hauled by any one else, the railroad gives its own check to the party bringing it, which must be in the hands of the passenger before he can secure a transportation check.

This gives the passenger trouble, it is said, in hunting up the man who hauled the baggage and in securing the check. His only remedy is to pay

## One May Overcome

constipation permanently by proper personal co-operation with the beneficial effects of Syrup of Figs and Elixir of Senna, when required. The forming of regular habits is most important and while endeavoring to form them the assistance of Syrup of Figs and Elixir of Senna is most valuable, as it is the only laxative which acts without disturbing the natural functions and without debilitating and it is the one laxative which leaves the internal organs in a naturally healthy condition, thereby really aiding one in that way. To get its beneficial effects, buy the genuine manufactured by the California Fig Syrup Co. only, and for sale by all leading druggists. Syrup of Figs and Elixir of Senna is never classed by the well-informed with medicines which make extravagant and unfounded claims to cure habitual constipation without personal co-operation.

## PIANOS

The world's famous Pianos—  
four of them this week, used a  
short time, as low as

**\$150**  
**Lee Fergusson**  
**PIANO CO.**

119 East Broad.  
Expert Tuning. Phone 622-1.

## Exquisite Floral Decorations

for weddings, receptions, teas and all  
social functions cleverly executed by  
talented floral artists.

**The Hammond Co.,**  
100 East Broad.  
Madison 630.

## Butter Nut Bread

Is a joy to the children—it's  
good!

Made by Nolde Bros.

**Detroit Jewel Gas Ranges**  
Are a Summer Necessity.

**Chas. G. JURGENS' Son**  
Sole Agents, Adams and Broad,  
Phone in the Centre of Furniture District.

## Emmy Destinn Says:

"I feel that my Hardman  
Piano has become an intimate  
part of my daily life."

## Walter D. Moses & Co.,

103 E. Broad Street.  
Oldest Music House in Virginia  
and North Carolina.

Montrize Long's Baggage Transfer Com-

pany.  
Similar procedure, it is stated, has been adopted in other cities, so that nearly the entire traveling public is affected.

**Plead Jurisdiction.**  
At the beginning of the hearing Lucius H. Cooke, counsel for the Norfolk and Western Railway Company, presented a demurrer and raised the question of jurisdiction. A similar plea was made by Fred Harper, attorney for the Long's Baggage Transfer Company. Howell C. Featherston and John G. Haythe are counsel for the petitioners. Mr. Harper, however, filed a special plea stating that Long's is not a transportation company, with the rights of eminent domain. Judge Prentiss remarked that the commission realized that it was not a public service corporation, but that this does not mean that it is not a proper defendant in this case. This was apparently agreed to.

Proceeding, Mr. Harper made the point, which is the real defense in the case, that the railroad company, as a public service corporation, begins its public duty only when it gives a transportation check to the passenger in exchange for his baggage, and that its public duty ends when it receives the check at the end of the journey. Its object, therefore, in making contracts governing the hauling of baggage is not to perform the duties imposed upon it by the Constitution, but to protect its private property.

**Not Public Duty.**  
In other words, if the baggage is delivered to it prior to the time when the passenger has his ticket and gets his check, it is in the position of a warehouseman, and not of a public service corporation. Therefore, it is argued, the State Corporation Commission has no authority to take cognizance of the matter.

Replying to questions asked by Chairman Prentiss, counsel for the respondents said that the railway company takes its course in such matters in pursuance of public policy and for the protection of its patrons. Mr. Cooke said that the company cares nothing about what concern hinders the baggage. It desires to get rid of controversies between rivals as to who shall carry baggage, and which annoys passengers. Long, it was stated, pays only \$130 a year for the privileges he enjoys, and the company will recognize his claim checks and in return for that give the passenger his transportation check without further means of identification. Bond is given by the Long Company, to be forfeited in case of loss. Were the check system withdrawn entirely, it was argued, there would result the swarm of agents and draymen, troubling the passengers.

**Public Inconvenienced.**  
Mr. Featherston and Mr. Haythe argued that the public was largely deprived of its rights, in that it was not equitably treated when it preferred to patronize some company other than the one which the railroad had contracted with. Mr. Featherston advanced the proposition that when two concerns acquire the same rights, transportation companies owe it to them not to discriminate between them.

In his conclusion Mr. Cooke talked of possibilities of loss or theft. Chairman Prentiss inquired as to the feasibility of a system of receipts, independent of the passenger, to the licensed transfer companies, so as to save them. Mr. Harper inquired as to why Judge Prentiss drew a distinction between draymen and licensed transfer companies, whereupon the chairman replied that he saw a good reason for the distinction, but did not care to discuss it at that time.

The commission rose after it had been decided that the attorneys would present a written, agreed statement of facts within the next ten days.

### BUILDING PERMITS

Much Important Construction Work in  
Different Parts of City.

Building Inspector Beck yesterday issued permits to build and repair as follows:

B. B. Bowles, to erect two-story brick dwelling, 1021 Floyd Avenue, \$4,300.

Davis & Archer, to erect two-story brick dwelling, 1023 Floyd Avenue, \$4,200.

City of Richmond, Board of Fire Commissioners, to erect three-story engine house on the east side of Bainbridge street, between Tenth and Eleventh streets, South Richmond, \$10,548.

Mrs. M. A. Burns, to erect two-story frame dwelling on the south side of Floyd Avenue, between West Street and Auburn Avenue, \$3,200.

I. Stern, to erect a three-story brick store, 1212 East Main Street, \$6,000.

Marcell Martin, to repair frame dwelling, 1408 Western Avenue, \$1,000.

Charles W. Washington, to repair frame dwelling, 1325 North Twenty-fifth Street, \$2,000.

Thomas J. Leahy, to repair brick dwelling, 1615 West Grace Street, \$250.

Trustees of the Leigh Street Baptist Church, to repair, remodel and enlarge brick church on the east side of Twenty-fifth Street, between Clay and Leigh streets, \$8,000.

The National Oil Company, to move and install oil tanks and stables to the east side of Stockton Street, between First and Second streets, South Richmond, \$1,000.

**TWO KILLED BY TRAIN.**

Men Stepped Off One Track onto Another and Met Their Death.

[Special to The Times-Dispatch.]

Reno, Va., September 28.—Larkin Lookhart, aged twenty-one, is dead at Jaeger, W. Va., as the result of being struck by a Norfolk and Western freight train, while Sherman Lambert was so badly injured by the same train, that he died at the Mineral Hospital at Welch. The men were walking on the track near Jaeger when suddenly a train approached on the east-bound track. They stepped off of the way of the train directly in front of another of the west-bound track. Lookhart had his head severed from his body, while Lambert had his skull crushed.

## BIG INCREASE IN CORPORATION TAX

Growth of Virginia Business in  
1909 Indicated in Corpora-  
tion Commission Report.

### FRICTION IS DECREASED

Better Feeling Exists Between  
Public and Utility  
Companies.

Showing that the enormous total of \$1,165,286.65 was paid into the treasury of the State as the result of its assessments during the past year, the seventh annual report of the State Corporation Commission was issued yesterday. The book contains exactly 1,400 pages, as against 1,557 for the preceding year, but there is in addition an appendix, containing certain additional information, and which comprises 253 pages, making an actual total of 1,755.

Attention is called to the fact that the registration fee and general franchise tax on corporations, together with the franchise taxes imposed on railroads and canals, constitute sources of revenue created by the provisions of the new Constitution, and which did not exist prior to the year 1902. These sources of taxation yielded the following amounts in 1909: Registration fees and general franchise taxes, \$229,755; franchise taxes against canals and railroads, \$484,053.44; total, \$713,808.44. The amount of these taxes for the year 1908 was \$694,250.49.

**Fees from Charters.**  
During the year there was paid into the State treasury for charter fees for the issuing and amending of domestic charters the sum of \$36,634, and on charter fees from foreign charters, on issuance of licenses to them by the commission, the sum of \$12,391.

Public service corporations paid as follows, including both franchise and property taxation: Steam railroads and canals, \$755,467.16; electric railroads, \$66,155.77; steamship and steamboat companies, \$7,019.43; telegraph and telephone companies, \$46,568.72. Property and license taxes against express companies totaled \$13,840.85, while the Pullman Company paid in license fees the sum of \$4,677.73. The remainder assessed by the commission was \$2,695.94, made up of clerical fees, tax on seal and fines.

In 1908 the steam railroads and canals paid \$728,506.16, which shows an increase in 1909 of \$26,961. Electric railroads, on the other hand, showed a decrease, they having been assessed \$69,411.55 in 1908, a loss of \$2,244.73.

**Better Feeling.**

"We believe," says the report, "that there is less friction between the railroad corporations and the general public at the present time than has existed for several years. Several new stations have been erected and some are in contemplation. The physical properties of the railroads generally are being improved, and as the result of improved roadways and careful operation there have been no serious accidents in the State during the past year."

"There have been fewer judicial hearings, because of the settled policy of the commission to adjust all complaints by mediation if possible. We find that by bringing the complainants in the presence of and under the direction of the commission, such hearings, in many cases, are avoided, and can, in many cases, such relief as is just and proper can be secured without the delays and expense of litigation. No record of such matters appears in this report, but the wisdom of this method of dealing with such cases of friction is fully justified by the good results accomplished for the general public."

**Clerk Is Diligent.**

Praise is given in the report to Clerk R. T. Wilson for his diligence in requiring foreign corporations to do business in Virginia and to take out scribbled in the statute and to take out frequently difficult, it is pointed out, to determine whether such corporations are protected against the State levies by the commerce clause of the United States Constitution and much time and labor has been expended in the study of the legal questions which arise in almost every case. Mr. Wilson has, in this work, it is asserted, added materially to the revenues of the State.

During the year 1909 871 original charters were issued, against 751 in 1908, 948 in 1907, 1,039 in 1906, 755 in 1905, 563 in 1904 and 482 in 1903. Six old charters were revised last year, 197 amendments were issued, two mergers were filed, and 106 corporations were dissolved. Licenses were granted to thirty-one foreign corporations to do business in Virginia, and ten amendments were issued to the charters of such companies.

In the appendix are published the rules and regulations relating to storage, the demurrage and car service rules of Virginia, the regulations for the transportation of explosives, the Virginia classification, No. 1, and the exception sheets, with the freight tariffs, the rules and regulations governing express companies and the rates for telegraph companies.

**"Just Say"**  
**HORLICK'S**  
It Means  
Original and Genuine  
**MALTED MILK**  
The Food-drink for All Ages.

More healthful than Tea or Coffee.  
Agrees with the weakest digestion.  
Delicious, invigorating and nutritious.  
Rich milk, malted grain, powder form.

A quick lunch prepared in a minute.  
Take no substitute. Ask for HORLICK'S.

Others are imitations.

Your residence

**To the Train in  
Five Minutes**

**Richmond Transfer Taxi Cab**  
Watch this space.

Leaders of Fashion

# Dreyfus & Co.

## Autumn Opening

WE REQUEST the presence of the ladies of Richmond and vicinity at our formal opening this evening, at half after seven o'clock. The opening will continue Friday and Friday evening.

A highly interesting exposition of the latest Paris millinery and fine garments on living models has been planned. As the evening displays are in the nature of a style show, of course no garments will be sold.

Orchestral Music Evenings

201 E. Broad Street

## FULL HOUSE FOR ROEBUCK PLAYERS

Academy Practically Sold, Out  
So Great Is Interest in  
Boy's First Show.

### AUTHOR TO MAKE SPEECH

Mother and Sweetheart Arrive  
to See "Beatrice of the  
Cumberlands."

When the curtain ascends to-night at the Academy of Music on the initial presentation of "Beatrice of the Cumberlands" its seventeen-year-old star and author will be happy in the realization of a long cherished ambition. Many people write plays. Few escape altogether the delusion that they are especially gifted as playwrights and authors. But the number of aspiring dramatists who ever realize the fruition of their dreams is so small that it has been estimated that but one of every ten thousand plays which are written is ever produced.

George Roebuck, author of "Beatrice," congratulates himself, therefore, in the knowledge that he is one of the few who were chosen of the many who were called. And the younger also feels that he is justified in many other self-bestowed felicitations. If nothing more, he has accomplished, and in spite of many difficulties, what he set out to do, and that's a lot. Whether in after life he follows the path he has chosen or enters other fields, he has made the kind of a start that generally wins. Into this, his first undertaking, he has put energy, industry, determination, pluck. If well begun is half done, Roebuck has the future looking rosy.

**Address Audience.**

It will be a fateful moment for the young author when the asbestos clears away to-night and the characters which he has created begin to unfold the little drama whose inspiration was his own youthful experience. Emulating other Southern playwrights, Roebuck will make a curtain speech, in which he will tell the big audience a few things about himself, his objects and his ambitions. And that there will be a big audience is no longer merely a hope—it is a certainty. For the house is about sold out, only a few scattered seats remaining in the rack when the box-office was closed last night.

The first telegram the author of "Beatrice" ever received came yesterday morning and brought the glad news that his mother had started from Washington on the way from Youngstown, O., her home, to be present to-night. She arrived last night. The real Beatrice who furnished the inspiration for the play is already here. When it seems a happy day for George Blaney Roebuck? You can bet the parlor carpet that it will.

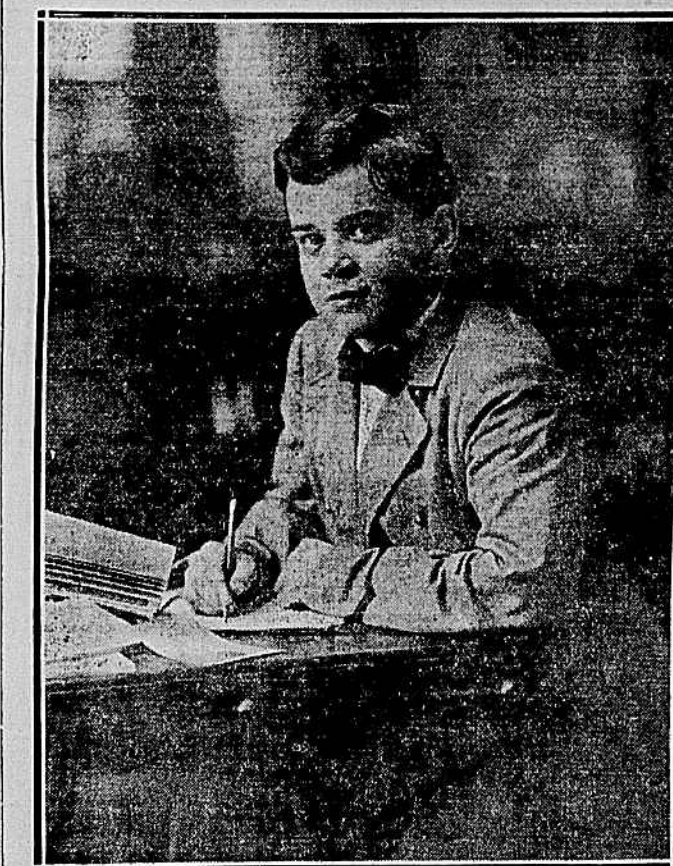
There can be no better evidence of the interest the public is taking in the young author and his work than the sale of seats for the play tonight. It seems assured that the house will be sold out here and also in Petersburg, where Beatrice is to be presented to-morrow night. With the proceeds derived from his venture the boy hopes to be able to enter Randolph-Macon.

While the writing and producing of "Beatrice of the Cumberlands" was to Roebuck more a work of love than anything else, it has also served as a means to an end—that being the boy's education. With so worthy an object, and having labored so earnestly and determinedly to attain the author of Beatrice deserves all the success which seems to have come to him.

TEN RICHMOND MASONS  
JOIN MYSTIC ORDER

[Special to The Times-Dispatch.]  
Washington, D. C., September 28.—Ten prominent Masons of Richmond, headed by Captain Frank Cunningham,

## AUTHOR OF BEATRICE



GEORGE ROEBUCK.

one of the leading members of the fraternity of Virginia, arrived here late this afternoon in response to an invitation from Kallipolis Grotto, Mystic Order of Vellied Prophets of the Enchanted Realm. They were met at Union Station and escorted to Eagles' Hall by a local committee, consisting of Past Monarch Ed. S. Schmidt, William F. Gude, president of the Washington Chamber of Commerce; Frank K. Raymond, Dr. William W. Wunder, J. D. Britt, Gus W. Braher, William E. Evans, William E. Cowan and Colonel R. L. Montague.

Later they were entertained at dinner, and through the mysteries of the Vellied Prophets at the ceremonial session of Kallipolis Grotto at National Rifles Armory. After the ceremonies of initiation they were entertained with a banquet, music and speechmaking. Upon their return to Richmond they will institute a new Grotto or the Hall by a local committee, consisting of Past Monarch Ed. S. Schmidt, William F. Gude, president of the Washington Chamber of Commerce; Frank K. Raymond, Dr. William W. Wunder, J. D. Britt, Gus W. Braher, William E. Evans, William E. Cowan and Colonel R. L. Montague.

Later they were entertained at dinner.

**Remember the Name**

**Because of Its Character**

Pearl I. C. Roofing Tin is used more than any other brand by those builders who know its many fine qualities.

**FOURDON METAL CO.**

Fourteenth & Dock Sts., Richmond, Va.

**GOLD AND SILVER**

**Monogram Watch Fob**

"Made in a Minute."

Any tattle, Durable, Grassy. Mail orders solicited.

**Smith & Webster, Inc.**

Jewelry, 612 E. Main, Richmond.

**YOU CAN ALWAYS**

**DEPEND UPON US**

**PHONE MAD. 418**

cratic and Republican parties have both opened headquarters in Marion, and the campaign in the Tenth District is now in full swing. Republican Congressman John Grant, of Hendersonville, is being opposed by 1908, M. Guder, a prominent lawyer and ex-Congressman of Asheville, N. C.

Mr. Grant is running on a stand-pat platform, endorsing Taft and the administration, while Mr. Guder has made his battle cry, "Down with Grantism, Cannonism and Aldrichism." Grant was elected from this district by a little over 300 majority two years ago, defeating Mr. Crawford, of Asheville.

The Democrats all over the district are rallying to the standard of Mr. Guder, and are confident that the district will be reclaimed at the election in November. Guder has challenged Grant for a series of joint debates, but Grant has not as yet signified a willingness to meet him on the stump. Hon. William J. Cooke, of Asheville, who was defeated by Guder for the Democratic nomination, has taken the stump for Guder, and will make a series of thirty speeches.

**General Herbert Will Attend.**

[Special to The Times-Dispatch.]

Fredericksburg, Va., September 28.—Among the prominent Confederate veterans who will attend the Confederate reunion here to-morrow is General Hiley A. Herbert, former member of Congress of Alabama and member of President Cleveland's Cabinet.

**W. C. T. U. CONVENTION MEETS.**

Charges Against Liquor Interests by President of Organization.

[Special to The Times-Dispatch.]

Norfolk, Va., September 28.—The feature of yesterday's session of the State W. C. T. U. Convention, in Portsmouth, was the annual address of Mrs. H. H. Hogg, the president, who declared that the local option elections in the border cities of Bristol and Danville were simply farces; charging that the State-Miller bill, to submit the question of State-wide prohibition to a vote of the people of Virginia, was defeated in the recent Legislature through the work of a strong liquor lobby, and that the leaders of the liquor element recognized that to allow its passage would mean the vanishing of the traffic from the State.

Three sessions of the convention were held. The hearing of reports, organization for work, naming of committees and the discussion of the various branches of the work constituted the proceedings.

The rumor of any want of harmony, printed by some papers, has not developed. The various reports showed the union in excellent condition, with a growing membership and an extension of the educational campaign.

### PUZZLED

Hard Work, Sometimes, to Raise Children.

Children's taste is oftentimes more accurate in selecting the right kind of food to fit the body than that of adults. Nature works more accurately through the children.

A Brooklyn lady says: "Our little boy had long been troubled with weak digestion. We could never persuade him to take more than one taste of any kind of cereal food. He was a weak little chap, and we were puzzled to know what to feed him."

"One day we tried Grape-Nuts. Well, you never saw a child eat with such a relish, and it did me good to see him. From that day on it seemed as though we could almost see him grow. He would eat Grape-Nuts for breakfast and supper, and I think he would have liked the food for dinner."

"The difference in his appearance is something you would have never fancied cereal foods of any kind, but he became very fond of Grape-Nuts, and has been much improved in health since using it."

"We are now a healthy family and, naturally, believe in Grape-Nuts."

"A friend has two children who were formerly afflicted with rickets. I was satisfied that the disease was caused by lack of proper nourishment. They showed an experiment, and the result was almost magical."

"They continued the food, and to-day both children are well and strong as any children in this city, and, of course, my friend is a firm believer in Grape-Nuts, for she has the evidence before her eyes every day."

Read "The Road to Wellville" found in pkgs. "There's a Reason."

Ever read the above letter? A new one appears from time to time. They are genuine true and full of human interest.

### CAMPAIGN IN TENTH IS ON IN FULL SWING

Present Representative Grant Is Opposed for His Seat in Congress

by J. M. Guder.

[Special to The Times-Dispatch.]

Marion, N. C., September 28.—The Demo-